

MINUTES

City of Carrollton Mayor and Council Meeting

November 5, 2007

6:00 p.m.

Public Safety Complex, Court/Council Chambers, 115 West Center Street, Carrollton, Georgia

I. CALL TO ORDER

The Mayor and City Council met in regular session on Monday, November 5, 2007 at 6:00 p.m. in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Pro Tem Rusty Gray called the meeting to order at 6:00 p.m. Members present: Mayor Pro Tem Rusty Gray, Councilmember Peter Balega, Councilmember Gerald Byrd, and Councilmember Mandy Maierhofer. Members absent: Mayor Wayne Garner.

II. INVOCATION

Councilmember Byrd offered the invocation.

III. CITIZEN COMMENTS

There were none.

IV. MINUTES (October 1, 2007)

Motion by Councilmember Byrd, seconded by Councilmember Maierhofer to approve the Minutes of the October 1, 2007 meeting of the Mayor and Council. Motion passed (4-0). Mayor Garner absent.

At this time, Councilmember Byrd introduced members of the Carrollton Jr. High School Horticulture Club who made an informative presentation on Recycling.

V. ITEMS OF DISCUSSION

1. Proclamation: School Crossing Guard Appreciation

Councilmember Maierhofer read a proclamation expressing appreciation to the Carrollton City Schools Crossing Guards for their service in ensuring our children have a safe journey to and from school. A Proclamation was given to each of the following Crossing Guards for their invaluable service:

Cloris Barker	Mildred Harris	Ora Cook	Daphne Holts
Linda Farris	Georgia Jackson	Latonia Flowers	Eileen White
Sandra Gough	Pearl Wilson		

2. Resolution 11-2007: Charles Henry "Chick" Almon Parkway

Mayor Pro Tem Gray presented Resolution 11-2007 for consideration to rename a portion of Newnan Street from its intersection with Newnan Road to its intersection with Rome and Bradley Streets to Charles Henry "Chick" Almon Parkway in honor of the late "Chick" Almon who was a lifelong citizen of Carrollton and owner of Almon Funeral Home. Mr. Almon made innumerable and immeasurable contributions to our community.

Motion by Councilmember Byrd, seconded by Councilmember Maierhofer to approve Resolution 11-2007: Charles Henry "Chick" Almon Parkway. Motion passed (4-0) Mayor Garner absent.

3. Synergy Communities Zoning Re-designation

Planning and Zoning Administrator Charles Griffin reported that in October of 2006 the City Council approved a rezoning request by Synergy Communities. The approval included 27-properties, all of which made-up one mixed-use, Planned Unit Development (PUD) located along West Avenue, Newnan Road, Newnan Street and South Coleman Street. PZA Griffin reported that since Council's approval of the project, staff has been unsuccessful in trying to contact the applicant, Mr. Jason Henderson, or anyone representing Synergy Communities for the purpose of obtaining an update. Staff has; however, spoken to several of the current property owners and various institutions regarding the zoning status of each individual property. PZA Griffin stated that it was he and that of City staff's opinion that the "Synergy" project has been abandoned. PZA Griffin recommended the Mayor and Council take action to revert those properties involved back to their original zoning categories and by doing so, this would eliminate the binding PUD requirements currently attached to the properties. Comments: Mayor Pro-Tem Gray suggested that in the future staff should obtain more background regarding projects of this nature. Councilmember Balega suggested requesting that the petitioner post a bond.

Motion by Councilmember Balega, seconded by Councilmember Maierhofer to revert the zoning which included 27-properties, all of which made-up one mixed-use, Planned Unit Development (PUD) located along West Avenue, Newnan Road, Newnan Street and South Coleman Street. Motion passed (4-0) Mayor Garner absent.

4. Resolution 12-2007: Unified Development Ordinance Amendment (Wireless Communications Facilities)

PZA Griffin reported that the Planning and Development Department is recommending a text amendment to the Unified Development Ordinance (UDO) regarding setback requirements for new Wireless Communication Facilities (cell towers). PZA Griffin explained that as currently written in the City's UDO, new cell towers in the C-2 (General Business) zoning district are permitted outright with a 25-foot setback. PZA Griffin noted that it is staff's opinion that a 25-foot setback for a new cell tower does not provide the necessary distance between new towers and existing residential or commercial establishments. Staff is recommending an amendment to Table 5.05.03(A) as indicated on the attached exhibit as follows:

1. The 25 feet setback requirement for the C-2 zoning district and the 20 feet setback requirement for the M-1 and M-2 zoning districts are hereby deleted.
2. Table 5.05.03(A) is further amended to provide a setback requirement of "50% height of tower, plus 1 foot per each 2 feet of tower height over 75 feet" for all zoning districts.

Motion by Councilmember Byrd, seconded by Councilmember Balega to approve Resolution 12-2007: Unified Development Ordinance Amendment (Wireless Communications Facilities) increasing setback requirements for C-2, M-1, and M-2 Zoning. Motion passed (4-0) Mayor Garner absent.

5. Bid Award: Fire Station

CM Coleman reported that bids for the construction of the new fire station have been received and reviewed. Five (5) contractors responded with the following bids:

	<u>Base Bid</u>	<u>Alternate #1</u>	<u>Total</u>
Ra-Lin Construction Co.	\$1,585,572	\$ 169,126	\$1,754,698
MWC Construction Co.	\$1,435,800	\$ 226,000	\$1,661,800
W.O. Kilgore Construction Co.	\$1,485,018	\$ 170,152	\$1,655,170

T.A. Millsap Construction Co.	\$1,425,000	\$ 158,000	\$1,583,000
Headley Construction Co.	\$1,368,000	\$ 200,000	\$1,568,000

CM Coleman noted that Headley Construction Company from Newnan, Georgia was the lowest bidder on the project. The base bid is for construction of the fire station and the alternative bid is for a public pavilion that is 32" X 56" with accompanying public parking area. CM Coleman reported that the property on which the fire station is to be built will be located on several acres and the pavilion will compliment the station grounds and will be heavily utilized by the public, for which there would be some monetary recovery through rentals on the pavilion. CM Coleman advised that, after lengthy negotiations and with the assistance of our architect, Headley Construction Company has offered to reduce their bid price to \$1,331,382 for the total project, a reduction of \$236,618. It is possible that further savings may occur through proper management during construction, which will additionally lower the final price. CM Coleman pointed out that the location was considered one of the major gateways to our city and the importance of this project meeting a high standard. CM Coleman stated that he believed that this project will do just that and offer the proposed contract from Headley Construction for consideration.

Motion by Councilmember Maierhofer, seconded by Councilmember Balega to award the Fire Station Bid to Headley Construction in the amount of \$1,331,382. Motion passed (4-0) Mayor Garner absent.

6. Bid Award: Division 2 Highway 61/166 Extension

Assistant City Manager Tim Grizzard announced that sealed Bids were received for Division 2 of the Highway 61/166 Sanitary Sewer Project. The results were as follows:

Strack, Inc. – Fairburn, GA	\$ 687,932.34
Sweetgrass, Inc. – Carrollton, GA	\$ 573,610.00
K.M. Davis Contracting – Marietta, GA	\$1,348,075.00
Site Engineering, Inc. – Atlanta, GA	\$ 878,070.00
DRM Utilities, LLC – Tuscaloosa, AL	\$1,167,645.00
Ronny D. Jones Enterprises – Newnan, GA	\$1,083,102.80
Total Development, Inc. – Acworth, GA	\$ 654,560.00
T.J. Lyle and Company – Taylorsville, GA	\$ 718,660.00
Caldwell Construction – Bowdon, GA	\$ 595,672.18
Paramont Grading Co. – Cumming, GA	\$ 730,592.50
Mid-South Builders, Inc. – Lithonia, GA	\$ 830,000.00

ACM Grizzard reported that given that this completes the Highway 61/166 project and given that the total budget for this project was \$3 million and that this final phase will bring the actual cost, including material, permits, and easements supplied by the City to approximately \$2.35 million, staff recommends that this project be awarded to Sweetgrass, Inc. of Carrollton, Georgia in the amount of \$ 573,610.00. ACM Grizzard noted that this division, like the previously awarded three divisions, is a unit rate project and that the actual cost will vary with the actual units installed.

Motion by Councilmember Balega, seconded by Councilmember Maierhofer to award the Division 2 Highway 61/166 Extension to Sweetgrass, Inc in the amount of \$573,610.00. Motion passed (4-0) Mayor Garner absent.

7. Land Purchase (Water Reservoir)

ACM Grizzard reported that included in the long-term capital project plan is the purchase of property across the river from the Water Treatment Plant for a pre-settling and storage reservoir. ACM Grizzard noted that the reservoir would accomplish several things, including: it will give the raw water a place to pre-settle and thus make it

cleaner, easier to treat and require fewer changes to the treatment process; it will give the City 15 more days of water storage; and it will make it significantly easier to make use of all of the water stored in the existing reservoirs by creating a place to store the excess flow that may be passing the water treatment plant.

ACM Grizzard stated that Schnabel Engineering of Alpharetta, GA has generated a preliminary design. Soil testing and surveying indicates that this property is well suited for the construction of this reservoir. ACM Grizzard reported that the property is zoned industrial and has been appraised and the purchase price will be comparable with the appraised value. The final amount of land to be purchased is under negotiation with each landowner. In accordance with Georgia law, the final pricing does not have to be reported publicly until all parcels are purchased; therefore, the total final pricing will be made public after the transaction is completed.

ACM Grizzard requested the Mayor and Council to authorize City Management to negotiate the purchase of all properties needed for the construction of this project in a total amount not to exceed \$1.4 million.

Motion by Councilmember Maierhofer, seconded by Councilmember Balega to authorize City Management to negotiate the purchase of all properties needed for the construction of this project in a total amount not to exceed \$1.4 million. Motion passed (4-0) Mayor Garner absent.

Motion by Mayor Pro Tem Gray, seconded by Councilmember Maierhofer to approve authorizing City Manager to use SPLOST proceeds for the reservoir project and to delay indefinitely the improvements to Lake Carroll Dam. Motion passed (4-0) Mayor Garner absent.

8. Water Conservation Rates

ACM Grizzard reported that the Governor of Georgia has decreed that all water systems in the northern 61 counties shall reduce their production to a baseline rate that is defined by 90% of the average production of December 2006 thru March 2007. This means that the City of Carrollton will have to reduce its system production to a monthly average of approximately 4.293 million gallons per day. Prior to these restrictions, the City was producing approximately 5 million gallons per day.

ACM Grizzard pointed out that the City of Carrollton needs an exemption to this policy for some of our industries that have increased their production over last year. Georgia EPD is requiring that all water systems make every effort to conserve before any consideration is given toward industrial production issues.

The only effective means of reducing residential and commercial water usage is by implementing a conservation rate to the water billing structure. ACM Grizzard reviewed the following proposed water rate:

Each customer would be given a monthly allotment of 7500 gallons with no penalty. This amount of water is the accepted national average for a household and will give our customers plenty of water to operate their homes. Usage above this amount will be charged an additional \$2.00 for every 750 gallons. This rate will be charged to all customers except industries. The allotments will be greater for larger meter owners and will be based on the AWWA standard for meter sizing.

ACM Grizzard shared several examples for clarification of the impact of the conservation water rate on customers as follows:

Senior Citizen using 2250 gal (3units)	\$ 5.99	no change
Customer using 7500 gal (10 units)	\$ 48.72	no change
Customer using 11,250 gal (15 units)	\$ 77.27	\$ 87.27
Customer using 15,000 gal (20 units)	\$105.82	\$ 125.82

ACM Grizzard noted that it is staff's recommendation to adopt this conservation rate to help comply with the Governor's mandated reductions and to help facilitate an exemption for our industrial customers. **Motion by Councilmember Maierhofer, seconded by Councilmember Byrd to adopt the Water Conservation Rates as presented. Motion passed (4-0) Mayor Garner absent.**

9. Board Appointment: Main Street Board (1)
Motion by Councilmember Maierhofer, seconded by Councilmember Byrd to appoint Pam Reynolds to fill the term vacated by Allison Tanner on the Main Street Board (term expires 12-31-09). Motion passed, (4-0) Mayor Garner absent.

VI. MAYOR AND COUNCIL ANNOUNCEMENTS

Mayor Garner:
Absent

Councilmember Byrd:
Expressed appreciation to City Staff for their efficient and fast efforts in responding to citizen needs. Councilmember Byrd inquired as to the status of street lights and striping requests that he had made over the last month. CM Coleman responded that he had been in contact with Georgia Power and Carroll EMC and reported that many repairs have been made and continue to be made to the street lights. In addition, CM Coleman advised that the City has made significant progress in striping. City Engineer Tommy Holland responded that streets scheduled for LARP (Local Assistance Road Projects) would not be re-striped with City funds.

Councilmember Gray:
None.

Councilmember Maierhofer:
None.

Councilmember Balega:
Reported that he recalled asking police officers to mark the poles that had street lights out. CM Coleman responded that police officers had marked the poles as requested, however Georgia Power was still in the process of replacing those lights. Councilmember Balega requested the recycling bin have a larger opening to place recycled paper in the bin. CM Coleman stated that the recycling bins were not owned by the City, but he would inform the community's recycling coordinator, Jacklyn Doss of the request.

VII. CITY MANAGER ANNOUNCEMENTS

CM Coleman announced that Ms. Ginny Chandler, MainStreet Director had resigned her position to further pursue her career. At this time, CM Coleman introduced the new Main Street Director Ms. LaJuana Wilkins.

CM Coleman reported that the City's Budget remains good, but noted that permit and sales tax revenues are down. In addition, CM Coleman noted that fuel prices could pose a problem in the future if prices continue to increase.

At this time, citizen Nellie Duke, inquired if sign postings were required when property is re-zoned(in regards to the Synergy Project). City Attorney Conerly stated that the City's Ordinance required that any PUD development that had not begun construction within one year would automatically revert back to the previous zoning and public notice of such was not required. CA Conerly stated that the item was placed on the Agenda not necessarily to receive action or approval, but to inform the public of the project's status.

VIII. ADJOURN

There being no further business to address, the meeting adjourned at 6:56 p.m.

The Agenda for Mayor and Council Meetings is available for review in the City Manager's Office, 315 Bradley Street, Carrollton, Georgia and the City's website, www.carrollton-ga.gov after 4:00 p.m. on the Friday prior to Council Meeting. The City complies with the Americans with Disabilities Act (ADA). If you will need special assistance at this meeting, the City will try to accommodate you in every reasonable manner. Please call (770) 830-2000 from 8:30 a.m. to 5:00 p.m. Monday through Friday at least 48 hours prior to the meeting. A summary of Agenda items acted upon is available within 48 hours of the meeting at the address and website listed above. Minutes to any previous meeting (once adopted) are available upon request at the number listed above.